



## Inspector's Report

### PL-500595-DN-26

<b>Development</b>	Change of use of the Block U building from office use to medical use and all site development works.
<b>Location</b>	Block U, East Point Business Park, Alfie Byrne Road, Dublin 3.
<b>Planning Authority</b>	Dublin City Council North
<b>Planning Authority Reg. Ref.</b>	WEB5557/25
<b>Applicant(s)</b>	Earlsfort East Point Limited
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party Appeal
<b>Appellant(s)</b>	Peadar Byrne
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	10 <sup>th</sup> April 2026
<b>Inspector</b>	Emer Doyle

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## 1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 0.2033 hectares accommodates a three storey office block (Unit U) at Eastpoint Business Park. It was noted on the site inspection that this unit is currently vacant.
- 1.2. The site is situated in the south east corner of the East Point Business Park accessed from both Eastpoint Causeway to the west and Bond Road to the east c. 3km from Dublin City Centre. Dublin Port Tunnel toll is located to the south of the site. The site is well served by public transport including a number of bus routes. The LUAS red line is c. 2km from the site with 'The Point' stop being the closest stop and is also located close to the DART line with 'Clontarf Road' station c. 1.5km west of the site. The site is also well served by various secondary cycle routes under the Greater Dublin Area Cycle Network.

## 2.0 Proposed Development

- 2.1. The proposed development comprises the following:
  - Change of use of existing building with office use to medical use (total area 1,591m<sup>2</sup>)
  - No alterations are proposed to the external facades of the existing building.
  - A reduction in the size of the skylight on the roof of the building is proposed.
  - The reconfiguration of the existing parking of 28 No. spaces to 25 No. spaces to include 2 No. accessible spaces.
  - A planning report has been included with the application which outlines the need for a medical facility at this location.

## 3.0 Planning Authority Decision

### 3.1. Decision

Permission was granted by the Planning Authority subject to 10 No. Conditions.

Condition 2 required a separate planning application for all signage associated with the proposed medical use.

Condition 5 (b) required a mobility management plan.

Condition 5 (c) required a car parking management plan.

Condition 5 (d) required an operational waste management plan.

All other conditions are of a standard nature for a development of this type.

### 3.2. **Planning Authority Reports**

#### Planning Reports

The Planner's report considered that the change of use from office to medical was acceptable in principle and was satisfied that the development would be compatible with the overall policies and objectives for the zoning. The third party concerns were noted regarding the management of waste and it was recommended that a condition be included regarding the submission of an operational waste management plan prior to commencement of development.

#### Other Technical Reports

**Drainage Division:** No objection subject to conditions.

**Air Quality and Noise Control Unit:** No objection subject to conditions.

**Transportation Planning Division:** No objection subject to conditions.

### 3.3. **Prescribed Bodies**

No reports.

### 3.4. **Third Party Observations**

One third party submission was made to the Planning Authority. The issues raised are similar to those raised in the appeal.

## 4.0 **Planning History**

### 4.1. **PA Reg. Ref. 0877/97**

Retention permission granted for revisions to southern elevation, together with infilling of first and second floor voids and relocation of escape stairs.

## **PA Reg. Ref. 2487/91**

Permission granted for development of a business and industrial park comprising of ten 2/3 storey buildings with plantrooms, a 2 storey restaurant security points and service compounds.

## **5.0 Policy Context**

### **5.1. Development Plan**

Dublin City Development Plan 2022-2028 is the operative plan for the area.

The lands are zoned Z6 (Employment/Enterprise), with a land use zoning objective '*To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.*' The proposed change of use from office to medical facility ('medical and related consultants') is open for consideration under this zoning.

#### Relevant Policy

Section 15.14.6 of the Dublin City Development Plan 2022-2028 relates to Medical and Related Uses and states the following:

Medical and related uses includes a wide range of services such as GP surgeries, medical centres, primary medical care facilities, dentists, beauty and aesthetic clinics, vets etc. all of which comprise of similar design standards and requirements.

Premises for medical relates uses include a wide variety of building types, ranging from adaptations of domestic premises for single-handed practitioners to purpose built premises for large group practices or units within a streetscape. Dublin City Council will support the provision of medical related uses in urban villages and neighbourhood centres and within existing communities where appropriate. Primary Care Centres usually require purpose-built structures and facilities, and these should primarily be facilitated in urban villages and neighbourhood centres. In mixed-use developments, which include community, service and retail facilities at ground floor level, the use of a unit as a medical centre of an appropriate size which contributes to the vitality of the area will be supported. Applications in these areas will be assessed on design criteria such as relationship with the street, accessibility to servicing, traffic management and shop front design criteria.

Policy QHSN52 - Sláintecare Plan: It is the Policy of Dublin City Council: To support the Health Service Executive and other statutory, voluntary, private agencies and community based services in the provision of appropriate healthcare facilities - including the system of hospital care and the provision of community-based primary care facilities, mental health, drug and alcohol services and wellbeing facilities including Men's Sheds - and to encourage the integration of healthcare facilities in accessible locations within new and existing communities in accordance with the government Sláintecare Plan.

Appendix 5 – Table 1 sets out bicycle parking standards for various uses. The long term parking requirement for medical uses is 1 space per 5 staff, and short stay use is to be determined by the Planning Authority on a case by case basis.

Section 3.2 outlines that shower and changing facilities shall be made available in developments incorporating staff cycle parking.

Section 4.0 outlines car parking standards. Table 2 outlines requirements for medical uses. The site is located within Zone 2 of Map J of the Development Plan and as such a maximum of 2 spaces are required for each consulting room.

## 5.2. **Natural Heritage Designations**

The proposed development is not located within or immediately adjacent to any European Site or other Natural Heritage Site.

The nearest such sites are:

South Dublin Bay and River Tolka Estuary SPA Site Code 004024 (160m to north of site).

Proposed NHA North Dublin Bay Site Code 000206 (160m to west of site)

## 6.0 **EIA Screening**

- 6.1. The proposed development is not a class for the purposes of Environmental Impact Assessment (EIA) as per the classes of development set out in Schedule 5 of the

Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination (see Appendix 1).

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

The grounds of appeal can be summarised as follows:

No objection to the principle of development.

The application refers to a change of use to include medical and laboratory functions, but the description provided is relatively broad. It is not clear what specific activities are proposed, the extent of those activities, or how they would operate over time.

This uncertainty creates concern over a number of matters which the Commission should request clarification on as follows:

- The categories of waste expected to arise from the proposed use.
- On-site handling, storage and segregation arrangements.
- The use of licensed contractors for collection, transport and disposal.
- Measures to ensure that no discharges enter surface water or drainage systems.

The site is adjacent to the Tolka Estuary and even low level or unintended releases of contaminants could have adverse effects on protected habitats and species.

Given the low level of the site and proximity to tidal waters, it would be reasonable to seek:

- A drainage capacity assessment
- Confirmation of ground and groundwater conditions
- Assurance that existing infrastructure can safely accommodate the proposed use without risk of contamination, flooding or system overload.

## 7.2. **Applicant Response**

A First Party response has been received on behalf of the applicant which can be summarised as follows:

The issues raised by the third party were fully considered by the Planning Authority and the conditions of the Planning Authority directly and comprehensively address all the points raised by the appellant.

The Commission is referred to Conditions 1, 2, 5 (d), 6 and 7.

The proposed development has been deemed appropriate under the land use zoning objective of the Dublin City Development Plan.

No drainage or environmental assessments are required as the permitted scheme relates solely to a change of use and does not involve any material construction works.

## 7.3. **Planning Authority Response**

None.

## 7.4. **Observations**

None.

## 8.0 **Assessment**

8.1. The following are considered to be the main issues in the assessment of this appeal:

- Principle of Development
- Waste Management
- Car and Bicycle Parking
- Other Matters

## 8.2. Principle of Development

- 8.2.1. The appeal site is located on lands zoned is located on lands zoned Z6 (Employment/Enterprise), with a land use zoning objective '*To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.*' The proposed change of use from office to medical facility ('medical and related consultants') is open for consideration under this zoning.
- 8.2.2. The existing building on the site is currently vacant but was previously used by a software company for office use. The planner's report raises no concerns in relation to the proposed change of use. Adjacent uses within the Business Park include a wide variety of employment uses for various sectors including technology, engineering, medical and insurance companies. No alterations are proposed to the elevations and as such there are no concerns in relation to visual impact.
- 8.2.3. The subject site is located in the Docklands Strategic Development and Regeneration Area- SDRA 6 and is served by a wide range of public transport modes with a number of bus routes including the EastPoint shuttle bus service which provides connectivity to the DART and LUAS lines. National regional and local planning policies support the provision of health services in urban areas within existing communities and in close proximity to employment zones recognizing their contribution to the vitality of an area.
- 8.2.4. A planning report was submitted with the application which indicated that there was a shortfall in the provision of existing healthcare facilities in the area with the majority of facilities located to the north of the Tolka Estuary and west of Fairview Park.
- 8.2.5. The appeal has no objection to the principle of development. Concern is raised that the application refers to a change of use to include medical and laboratory functions, but the description provided is relatively broad. It is not clear what specific activities are proposed, the extent of those activities, or how they would operate over time. Specific concerns are raised in relation to waste which I shall deal with separately.
- 8.2.6. I am satisfied that the purpose of the application is clear in that it is proposed to provide a medical use to serve the existing business park and the surrounding areas. A total of 7 No. consulting rooms are proposed. Further, I am satisfied that the laboratories proposed on the second floor are an ancillary use to the proposed

medical use and there is no indication that they are to be used other than in conjunction with the medical use and consulting rooms proposed.

8.2.7. I note that the building has been vacant for an extended period of time and I am satisfied that the proposal is in line with Section 15.4.6 (Medical and Related Uses) of the Dublin City Development Plan. Further, I consider that the proposed use would serve the business park and the local community and would counter commercial unit vacancy in the area.

### 8.3. **Waste Management**

- 8.3.1. The main issue raised in the appeal is that the development description is not specific enough and could lead to a range of medical and laboratory functions. In the absence of such detail, it is considered that by the appellant that the Commission requires clarification with regard to the categories of waste expected, the management of waste including licenced contractors together with measures to ensure that there are no discharges to surface water or drainage systems.
- 8.3.2. I note that the Planning Report submitted with the application sets out that an operational waste management plan shall be submitted to the Planning Authority prior to commencement of development. This matter is conditioned by the Planning Authority in Condition 5 (d). The first party appeal response considers that this condition directly addresses the appellants concerns regarding waste.
- 8.3.3. Should the Commission be minded to grant permission I recommend that this condition is included. Further I note that the appellant is particularly concerned regarding clinical waste and potential emissions associated with same. In this regard, I recommend that the wording of the condition shall require clinical waste to be stored separately and collected by a registered specialist contractor. I am satisfied that the inclusion of the condition outlined above will allow for the appropriate management of waste to include recyclable materials and health-related waste in the interest of the protection of the environment and the orderly disposal of waste.

#### **8.4. Car and Bicycle Parking**

- 8.4.1. The site is a very accessible site served by public transport routes and in close proximity to the LUAS and DART lines. It is located within Zone 2 of Map J of the Dublin City Development Plan in relation to car parking requirements.
- 8.4.2. It is proposed to reconfigure existing car parking spaces serving Unit U to provide for 1 additional accessible space with an overall reduction from 28 No. to 25 No. spaces. Table 2 of the Development Plan sets out that the maximum car parking spaces per consulting room is 2 and therefore, the total number of spaces proposed exceeds the maximum requirements. Given that the spaces are already in place at this location, I consider that this is acceptable.
- 8.4.3. In terms of bicycle parking provision, Table 2 of Appendix 5 sets out the requirements for clinics and group practices. The minimum requirement is 1 No. bicycle space for 5 No. staff for long term parking and short term parking is at the discretion of the Planning Authority. A total of 30 No. spaces are located in two areas to the south and south west of the site. I am satisfied that bicycle parking provision is acceptable for both visitors and staff. I note that the Transportation Report requires that 1 No. space is provided for a non-standard cargo bike and that shower facilities are provided. I consider that this is a reasonable requirement given the accessibility of the site and the likelihood that such a space would benefit clients and employees.
- 8.4.4. I consider that should the Commission grant permission, a mobility management plan should be included as a condition.

#### **8.5. Other Matters**

- 8.5.1. I note that the appeal has raised concerns in relation to the low lying nature of the site and proximity to tidal waters together with concerns in relation to drainage and groundwater conditions and requests the Commission to seek further information in relation to these matters.
- 8.5.2. Given that the existing building has been in place for many years and the application provides for a change of use only, I consider that it is unnecessary to seek further information in relation to these matters. The first party response states that no additional drainage or environmental assessments are required as the permitted

scheme relates solely to a change of use and does not involve any material construction works. I concur with this view.

- 8.5.3. The appeal also raises concerns that any change in the nature or intensity of the laboratory use will be subject to a further application. I consider that this matter is addressed by condition 1 of the Planning Authority which provides for permission in accordance with the information set out in the application only.

#### Development Contribution Scheme

- 8.5.4. I note that under Section 10 of the current Development Contribution Scheme (2023-2026), the change of use from one commercial use to another where no additional floorspace is proposed is not required to pay a development contribution. No additional floorspace is proposed in this application and as such, there is no requirement for a development contribution.

## 9.0 **AA Screening**

- 9.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The subject site is not located within a designated site, with the nearest site being South Dublin Bay and River Tolka Estuary SPA c. 160 metres north of the subject site.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

Scale and size of the proposed development within an existing residential development

Distance to the nearest European site

The lack of connections to the SPA

Connection to public water, drain, and sewer

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## 10.0 Water Framework Directive

10.1. The subject site is situated at Unit U of Eastpoint Business Park, Alfie Byrne Road, Dublin 3. The application is seeking permission for a change of use from office to medical. No alterations are proposed to the elevations of the building or to the size of the building.

I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive (WFD) which seek to protect and, where necessary, restore surface water and ground waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.

I conclude that the proposed development will not result in a risk of deterioration on any waterbody (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively, or on a temporary or permanent basis, or otherwise jeopardise any waterbody in reaching its WFD objectives and consequently can be excluded from further assessment.

This conclusion is based on:

Nature, scale and location of the proposed development

Lack of any meaningful hydrological connection to any waterbody.

## 11.0 Recommendation

11.1. I recommend that planning permission should be granted for the reasons and considerations set out below.

## 12.0 Reasons and Considerations

Having regard to the Z6 (Employment/ Enterprise) zoning objective of the site in the Dublin City Council Development Plan 2022-2028, and the scale and nature of the change of use proposed, and the provisions of Section 15.14.6 of the Dublin City Development Plan, it is considered that subject to compliance with the conditions set out below, the proposed development would be an appropriate use at this location, would not seriously injure the residential or visual amenities of the area, would counter commercial unit vacancy, and would be acceptable in terms of pedestrian and traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 13.0 Conditions

1. The development shall be carried out and completed in accordance with the drawings and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the Planning Authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

3. No advertisement, advertisement structure or awnings shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

4. Prior to the opening/occupation of the development, a Mobility Management Plan (MMP) shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling and walking by residents/occupants/staff employed in the development.

**Reason:** in the interest of encouraging the use of sustainable modes of transport.

5. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall provide for clinical waste to be stored separately and collected by a registered specialist contractor. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste to include recyclable materials and health-related waste in the interest of the protection of the environment and the orderly disposal of waste.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between the hours of 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of property in the vicinity.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development,

including hours of working, management measures for noise, dust and dirt, construction traffic management proposals and off-site disposal of construction waste.

**Reason:** In the interests of public safety and residential amenity.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

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Emer Doyle  
Planning Inspector

16<sup>th</sup> April 2026

**Appendix 1: Form 1 EIA Pre-Screening**

<b>Case Reference</b>	PL-500595-DN-26
<b>Proposed Development Summary</b>	Change of use of Block U building from office use to medical use and all ancillary site development works.
<b>Development Address</b>	Block U, East Point Business Park, Alfie Byrne Road, Dublin 3.
<b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>	<input type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input checked="" type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	

<p><b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b></p>	
<p><input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b></p>	
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<p><b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b></p>	
<p><input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.  <b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p>	

<p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	
<p><b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b></p>	
<p>Yes <input checked="" type="checkbox"/></p>	
<p>No <input type="checkbox"/></p>	

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_